

IN RE: PETITION FOR VARIANCE \* BEFORE THE  
 SE/Corner Gwynn Oak and Dogwood Avenues  
 (Lot 18 Meadows Business Park) \* DEPUTY ZONING COMMISSIONER  
 1st Election District  
 2nd Councilmanic District \* OF BALTIMORE COUNTY

A & E Partners, L.P. and \* Case No. 95-428-A  
 Emmes Meadows Corporation, Gen. Partner  
 Petitioners \*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as Lot 18 of the Meadows Business Park, also known as 1849 Gwynn Oak Avenue, located in the vicinity of Security Boulevard in Woodlawn. The Petition was filed by the owners of the property, A & E Partners, L.P. and Emmes Meadows Corporation, General Partner, by Richard Previti, Vice President, through their attorney, Benjamin Bronstein, Esquire. The Petitioners seek relief from Sections 243.1 and 243.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side and front yard setback of 35 feet each in lieu of the required 50 feet and 75 feet, respectively, and from Section 253.4 of the B.C.Z.R. to permit a trade school use within the existing building to be located as close as 38 feet from a residential zoned boundary (right-of-way) in lieu of the required 100 feet, and parking as shown on the plan. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Nina Weissenberger, a representative of A & E Partners, L.P., property owners, Bruce E. Bertell, President of Family Advocacy Services, Inc., the prospective tenant of the subject site, Debra Wittle of STV Group, the engineer-

ORDER RECEIVED FOR FILING  
 Date 7/27/95  
 By [Signature]

ing firm who prepared the site plan for this project, and Benjamin Bronstein, Esquire, attorney for the Petitioners. Appearing in opposition to the plan were Susan Fennell, Valerie Bateman, and Susan Armingier, residents of the surrounding community.

Testimony and evidence offered revealed that the subject property consists of 3.376 acres, more or less, zoned M.L., and is improved with a two-story brick building formerly used as a medical administration building by the federal government. Presently, Johns Hopkins Hospital maintains an office in part of the building. The property is located within the Meadows Industrial Office Park, a large office building complex which was developed in the mid 1960s and is comprised of a series of buildings spread over approximately 25 acres. The subject building was formerly the home of the Health Care Finance Administration (HCFA), an agency of the federal government, which has relocated to another facility. The Petitioners seek to utilize the property as a trade school and have entered into a lease agreement with Family Advocacy Services, Inc., a privately owned corporation engaged in providing educational services for severely emotionally disturbed children, 13 to 20 years of age, which have been referred by the Public School Systems of Baltimore County, Baltimore City and other jurisdictions. The proposed facility will accommodate up to 64 students, who will receive training in carpentry and building maintenance as well as academic subjects. The trade school is approved by the State school regulatory educational authorities.

Opposing testimony was offered by Ms. Valerie Bateman on behalf of herself and her community. Ms. Bateman testified that her community is opposed to the school being located in close proximity to their residential neighborhood. The residents also fear future expansion of the school to

ORDER RECEIVED FOR FILING

Date

By

other parts of the subject building, a portion of which is now occupied by Johns Hopkins Hospital. In response to her concerns, Mr. Bertell stated that the children are closely supervised and that the school maintains a teacher to student ratio of 8 to 1, not including a teacher's aide. Furthermore, all students are provided transportation and their tuition is paid by the referring local government. Therefore, Mr. Bertell believes the school should pose no concerns to the surrounding community.

The variance from Section 253.4 of the B.C.Z.R. is necessitated by the proposed use of the building as a trade school. A trade school is permitted in an M.L. zone, provided a 100-foot buffer from a D.R. zoned boundary is maintained. Due to the unique configuration of the site and the location of the existing building, which is approximately 30 years old, all of the relief sought is necessary to legitimize existing conditions which cannot comply with the strict requirements of the B.C.Z.R.

The B.C.Z.R., specifically Section 307.1, established a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of Cromwell v. Ward, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and authored by the Honorable J. Cathell, interpreted our regulations to require the applicant to establish the following:

First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "property whereon structures are to be placed (or uses conducted) is -- in and of itself-- unique and unusual in a manner different from the nature of surrounding properties such that the uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property."

I find from the testimony and evidence presented in this case that

ORDER RECEIVED FOR FILING

Date

By

the subject property is unique, unusual and different from properties which surround the subject site so as to cause this applicable zoning provision to impact disproportionately upon this particular parcel of land.

Having satisfied this "first step" the Applicant (Petitioner) must proceed to the "second step" of this variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship.

The practical difficulty or unreasonable hardship guidelines that have been imposed by the Baltimore County Zoning Regulations (B.C.Z.R.) have been thoroughly examined and discussed by the appellate courts of this State. In Loyola Federal Savings and Loan Association v. Buschman, 227 Md. 243, 176 A.2d 355 (1961), the Court of Appeals considered the identical regulation to Section 307.1 of the B.C.Z.R.

As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." Loyola Federal, p. 358. Thus, by the use of the term "or", Section 307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974). Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return

ORDER RECEIVED FOR FILING  
Date 7/27/83  
By [Signature]

if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, per se. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petition, as enunciated in Anderson, supra, are as follows:

- 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
- 2) whether a grant of the variance applied for would do substantial justice to an applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief to the owner of the property involved and be more consistent with that afforded other property owners; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson, p. 39. See also McLean v. Soley, 270 Md. 208 (1973) at pps. 214-215.

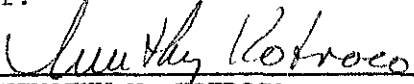
I find from the testimony and evidence presented at the hearing before me that the Applicants have in fact proven the practical difficulty standards as set forth above and that the variance requested should be granted. I further find that the granting of this variance is in strict harmony with the spirit and intent of the B.C.Z.R. and that the granting

of this relief is accomplished without injury to the public health, safety or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 27<sup>th</sup> day of July, 1995 that the Petition for Variance seeking relief from Sections 243.1 and 243.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side and front yard setback of 35 feet each in lieu of the required 50 feet and 75 feet, respectively, and from Section 253.4 of the B.C.Z.R. to permit a trade school use within the existing building to be located as close as 38 feet from a residential zoned boundary (right-of-way) in lieu of the required 100 feet, and parking in accordance with Petitioner's Exhibits 1, 1A and 1B, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their use permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The total number of children attending the trade school shall not exceed 64 students. A student/teacher ratio of 8 to 1 shall be maintained at all times. All students shall be provided transportation to and from the school from their homes. This restriction shall not be modified unless a public hearing is held to address the appropriateness of same.
- 3) When applying for any permits, the site plan filed must reference this case and set forth and address the restrictions of this Order.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

July 27, 1995

(410) 887-4386

Benjamin Bronstein, Esquire  
Evans, George & Bronstein  
29 W. Susquehanna Avenue, Suite 205  
Towson, Maryland 21204

RE: PETITION FOR VARIANCE  
SE/Corner Gwynn Oak and Dogwood Avenues  
(Lot 18 Meadows Business Park)  
1st Election District - 2nd Councilmanic District  
A & E Partners, L.P. & Emmes Meadows Corp., Gen. Partner - Petitioners  
Case No. 95-428-A

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy Kotroco", written over a horizontal line.

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Richard Previti, Vice President  
Ms. Nina Weissenberger, A & E Partners, L.P.  
6666 Security Boulevard, Baltimore, Md. 21207

Ms. Debra Wittle, STV Group  
21 Governor's Court, Baltimore, Md. 21207

Ms. Valerie Bateman, 1909 Hillcrest Road, Baltimore, Md. 21207  
Ms. Susan Fennell, 1910 Hillcrest Road, Baltimore, Md. 21207  
Ms. Susan Arminger, 1907 Hillcrest Road, Baltimore, Md. 21207

People's Counsel; ~~File~~





# Petition for Variance

95-428-A  
to the Zoning Commissioner of Baltimore County

for the property located at southeast corner of Gwynn Oak & Dogwood Avenues  
which is presently zoned ML

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

see attached

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. configuration of property
2. and such other and further reasons as may be demonstrated at the time of hearing

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner: Benjamin Bronstein  
Evans, George & Bronstein

(Type or Print Name)

Signature

29 W. Susquehanna Ave., Suite 205

Address

Phone No. 410-296-0200

Towson

Maryland

21204

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s): A&E Partners, L.P.

Emmes Meadows Corporation, General Partner

(Type or Print Name)

Signature Richard Previti V.P.

(Type or Print Name)

Signature

6666 Security Boulevard 944-8900

Address

Phone No.

Baltimore Maryland 21207

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

STV Group

Name

21 Governor's Court, Balto. MD 21207

Address

301-944-9112

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

1hr -

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE 5/22/95

#422

ORDER RECEIVED FOR FILING  
Date 7/27/95  
By [Signature]





95-428-A

VARIANCE REQUEST

1. From Section 243.1 and 243.2 to permit a side yard and a front yard setback of 35 ft in lieu of the required 50 ft and 75 ft.
2. From Section 253.4 to permit a trade school (an M.L. permitted use) in an existing building to be located as close as 38 ft from a residential zoned boundary (R/W) in lieu of the required 100 ft and to approve parking as shown on the plan.



# STV Group

*engineers/architects/planners/scientists/construction managers*

*STV/Seelye Stevenson Value & Knecht*

*STV/Sanders & Thomas*

*STV/Lyon Associates*

*STV Environmental*

*STV Architects*

ZONING DESCRIPTION  
LOT 18, MEADOWS BUSINESS PARK  
ELECTION DISTRICT NO. 1 - C2  
BALTIMORE COUNTY, MARYLAND

95-428-A

BEGINNING at a point located along the southwesterly side of Dogwood Road, which is 60 feet wide, at the distance of 68.39 feet southeasterly of the centerline of Gwynn Oak Avenue, which is 70 feet wide, thence along said southwesterly side of Dogwood Road, the three following courses and distances; by a curve to the right having,

1. A radius of 2,970.00 feet, an arc length of 45.78 feet, said curve being subtended by a chord bearing South 60°04'22" East 45.78 feet to a point thence,
2. South 59°37'53" East 131.63 feet to a point, thence by a curve to the left having,
3. A radius of 1,980.00 feet, an arc length of 141.29 feet, said curve being subtended by a chord bearing South 61°40'32" East 141.26 feet to a point, thence across a portion of Dogwood Road,
4. North 26°16'48" East 39.28 feet to a point in the existing paving of said Dogwood Road, near the centerline of Hillside Drive, thence running near the centerline of said Dogwood Road the eight following courses and distances,
5. South 61°17'25" East 27.76 feet to a point thence,
6. South 65°14'25" East 54.26 feet to a point thence,
7. South 70°36'45" East 211.00 feet to a point thence,
8. South 72°43'25" East 56.43 feet to a point thence,
9. South 68°43'05" East 51.79 feet to a point thence,
10. South 70°43'25" East 51.82 feet to a point thence,
11. South 62°15'25" East 51.60 feet to a point thence,
12. South 54°18'15" East 56.19 feet to a point, thence leaving said Dogwood Road and running,

#422



STV Group

95-428-A

13. South  $41^{\circ}19'15''$  West 135.00 feet to a point thence,
14. North  $67^{\circ}50'29''$  West 200.60 feet to a point thence,
15. South  $82^{\circ}38'42''$  West 148.22 feet to a point thence,
16. North  $63^{\circ}54'17''$  West 542.47 feet to a point on the southeasterly side of the aforesaid Gwynn Oak Avenue, thence along same the two following courses and distances,
17. North  $24^{\circ}57'45''$  East 23.00 feet to a point, thence by a curve to the left having,
18. A radius of 3,035.00 feet, an arc length of 116.09 feet, said curve being subtended by a chord bearing North  $23^{\circ}52'00''$  East 116.08 feet to a point, thence along a site fillet,
19. North  $69^{\circ}31'08''$  East 45.29 feet to the place of beginning, as recorded in Deed Liber S.M. No. 10780, folio 523.

BEING Lot No. 18 as shown on the subdivision of MEADOWS INDUSTRIAL PARK, recorded among the Land Records of Baltimore County, Maryland in Plat Book W.J.R. No. 27, folio 21, containing 3.376 acres of land, more or less. Also known as No. 1849 Gwynn Oak Avenue and located in the 1st Election District.

STV GROUP  
Mark A. Riddle  
MD Professional Land Surveyor No. 10899



May 22, 1995

Note: Bearings and distances described herein based on a survey by Century Engineering, Inc., dated December 5, 1994 and referred to the Baltimore County Metropolitan District Grid Meridian, and not by benefit of a field survey by STV Group.

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
**Towson, Maryland**

*B-428-A*

District *1st* Date of Posting *6/2/95*

Posted for: *Variances*

Petitioner: *H. H. Partners, L.P.*

Location of property: *1849 Gwyn Oak Ave.*

Location of Signs: *Facing roadway on property being zoned*

Remarks:

Posted by *M. Healey* Date of return: *6/9/95*  
Signature

Number of Signs: *1*



052111

95 SEP 15 PM 12:26

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

District 1st

Date of Posting 9/8/95

Posted for: Appeal

Petitioner: H + E Portman, L.P. & Emmes Meadows

Location of property: SE/cor. Gwynn Oak & Dogwood Aves

Location of Signs: Facing roadway on property being zoned

Remarks:

Posted by [Signature]  
Signatures

Date of return: 9/15/95

Number of Signs: 1



# NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:  
95-428-A (Item 422)  
1849 Gwynn Oak Ave. -  
Meadow's Business Park  
"Dogwood East"  
S/S Dogwood Road,  
E/S Gwynn Oak Avenue  
1st Election District  
2nd Councilmanic  
Legal Owner(s):

A & E Partners, L.P.  
HEARING: FRIDAY,  
JUNE 23, 1995 at 11:00  
a.m. in Rm. 106, County Of-  
fice Building.

Variance: to permit a side yard and front yard setback of 35 feet in lieu of the required 60 feet and 75 feet; and to permit a trade school in an existing building to be located as close as 38 feet from a residential zoned boundary (right-of-way) in lieu of the required 100 feet and to approve parking as shown on the plan.

LAWRENCE E. SCHMIDT,  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are Hand-  
icapped accessible; for special  
accommodations Please Call  
887-3353.

(2) For Informa-  
tion concerning the File and/or  
Hearing, Please Call 887-3391.

6/121 June 8.

# CERTIFICATE OF PUBLICATION

TOWSON, MD.,

6/8, 1995

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/8, 1995.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON  
Publisher

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

DATE 07-06-95 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: Susan ARMIGER WOODLAWN PARK  
COMMUNITY ASSOCIATION

FOR: Appeal Zoning Commission's order dated  
7/27/95 for 1849 Gwynn Oak Avenue

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

075624

DATE 07-06-95 ACCOUNT R-001-6150

AMOUNT \$ 210.00

RECEIVED FROM: Susan ARMIGER WOODLAWN PARK  
COMMUNITY ASSOCIATION

FOR: Appeal Zoning Commission's order dated  
7/27/95 for 1849 Gwynn Oak Avenue

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER



City of Baltimore  
Zoning Administration &  
Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt

75-428-A

Account: R-001-6150

Number

Date 5/23/95

Item: 422

Taken In: MSK  
By:

A+E Portman, L.P. - SE corner of Gaynor Oak  
+ Dogwood Avenues

020- Common Variance - \$250.00

030- 1 sign - \$35.00

---

\$285.00

RECEIVED  
BALTIMORE COUNTY  
MAY 23 1995

5/23/95

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

**NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.**

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 422

Petitioner: A + E Partners, L.P.

Location: SE corner of Gaynn Oak + Dogwood Avenues (1849 Gaynn Oak Ave)

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Ben Bronstein of Evans, George, and Bronstein

ADDRESS: 29 W. Susquehanna Ave, Suite 205

Towson, MD 21204

PHONE NUMBER: 410-296-0200

AJ:ggs

(Revised 04/09/93)



TO: PUTUXENT PUBLISHING COMPANY  
June 8, 1995 Issue - Jeffersonian

Please forward billing to:

Benjamin Bronstein, Esq.  
29 W. Susquehanna Avenue #205  
Towson, MD 21204  
296-0200

---

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-428-A (Item 422)  
1849 Gwynn Oak Avenue -- Meadow's Business Park  
"Dogwood East"  
S/S Dogwood Road, E/S Gwynn Oak Avenue  
1st Election District - 2nd Councilmanic  
Legal Owner(s): A & E Partners, L.P.  
HEARING: FRIDAY, JUNE 23, 1995 at 11:00 a.m. in Room 106, County Office Building.

Variance to permit a side yard and front yard setback of 35 feet in lieu of the required 50 feet and 75 feet; and to permit a trade school in an existing building to be located as close as 38 feet from a residential zoned boundary (right-of-way) in lieu of the required 100 feet and to approve parking as shown on the plan.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 1, 1995

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 95-428-A (Item 422)

1849 Gwynn Oak Avenue -- Meadow's Business Park

"Dogwood East"

S/S Dogwood Road, E/S Gwynn Oak Avenue

1st Election District - 2nd Councilmanic

Legal Owner(s): A & E Partners, L.P.

HEARING: FRIDAY, JUNE 23, 1995 at 11:00 a.m. in Room 106, County Office Building.

Variance to permit a side yard and front yard setback of 35 feet in lieu of the required 50 feet and 75 feet; and to permit a trade school in an existing building to be located as close as 38 feet from a residential zoned boundary (right-of-way) in lieu of the required 100 feet and to approve parking as shown on the plan.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Arnold Jablon  
Director

cc: A & E Partners, L.P.  
STV Group  
Benjamin Bronstein, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





# County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

Hearing Room - Room 48  
Old Courthouse, 400 Washington Avenue

December 12, 1995

## NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 95-428-A

A & E PARTNERS -Petitioner  
Meadow's Business Park "Dogwood East"  
SE/corner Dogwood Road and Gwynn Oak Avenue  
(1849 Gwynn Oak Avenue)  
1st Election District  
2nd Councilmanic District

VAR -For side and front yard setbacks of 35' each in lieu of required 50' and 75' respectively; to permit trade school use within existing building as close as 38' from residential zoned boundary in lieu of required 100'; and parking.

7/27/95 -D.Z.C.'s Order in which Petition for Variances was GRANTED w/restrictions.

### ASSIGNED FOR:

TUESDAY, FEBRUARY 27, 1996 at 10:00 a.m.

cc: Valerie Bateman & Susan Fennell /  
Woodlawn Park Community Association Appellants /Protestants  
People's Counsel for Baltimore County Appellant  
Benjamin Bronstein, Esquire Counsel for Petitioner  
Richard Previti, V.P. & Nina Weissenberger Property Owner /Petitioner  
A&E Partners, L.P.  
Debra Wittle /STV Group  
Bruce Bertell, President  
Family Advocacy Services, Inc. Prospective Tenant  
Susan Fennell  
Pat Keller /Planning Director  
Timothy M. Kotroco  
W. Carl Richards, Jr. /PDM  
Docket Clerk /PDM  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney

Kathleen C. Bianco  
Administrative Assistant



12/12/95 -Notice of Assignment for hearing scheduled for Tuesday,  
February 27, 1996 at 10:00 a.m. sent to following:

Valerie Bateman & Susan Fennell /  
Woodlawn Park Community Association  
People's Counsel for Baltimore County  
Benjamin Bronstein, Esquire  
Richard Previti, V.P. & Nina Weissenberger  
A&E Partners, L.P.  
Debra Wittle /STV Group  
Bruce Bertell, President  
Family Advocacy Services, Inc.  
Susan Fennell  
Pat Keller /Planning Director  
Timothy M. Kotroco  
W. Carl Richards, Jr. /PDM  
Docket Clerk /PDM  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney

CASE NO. 95-428-A

A & E PARTNERS, L.P. and EMMES  
MEADOWS CORPORATION, General Partner -  
Petitioners

1st Election District

Appealed: 9/8/95


IN RE: PETITION FOR VARIANCE	*	BEFORE THE
Meadow's Business Park	*	BOARD OF APPEALS
"Dogwood East"	*	FOR
SE/corner Dogwood Road and	*	BALTIMORE COUNTY
Gwynn Oak Avenue	*	
(1849 Gwynn Oak Avenue)	*	
1st Election District	*	
2nd Councilmanic District	*	
A & E PARTNERS	*	
Petitioner	*	CASE NO.: 95-428-A

\* \* \* \* \*

ORDER

The Petition for Variance, having been withdrawn by the Petitioner on January 17, 1996, the appeal in the above entitled proceeding is moot.

IT IS THEREFORE, ORDERED, this 29th day of January, 1996, by the County Board of Appeals that the above entitled case be and is hereby dismissed.

  
\_\_\_\_\_  
Chairman  
County Board of Appeals



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49  
400 WASHINGTON AVENUE  
TOWSON, MARYLAND 21204  
(410) 887-3180

January 29, 1996

Peter Max Zimmerman  
People's Counsel  
for Baltimore County  
Room 47, Old Courthouse  
400 Washington Avenue  
Towson, MD 21204

RE: Case No. 95-428-A  
A & E Partners -Petitioner

Dear Mr. Zimmerman:

Enclosed please find a copy of an Order issued this date by the County Board of Appeals of Baltimore County in which the subject matter is dismissed.

Very truly yours,

*Charlotte E. Redcliffe for*  
Kathleen C. Bianco  
Administrative Assistant

Enclosure

cc: Benjamin Bronstein, Esquire  
Richard Previti, V.P. and  
Nina Weissenberger /A&E Partners, L.P.  
Debra Wittle /STV Group  
Bruce Bertell, President  
Family Advocacy Services, Inc.  
Susan Fennell  
Valerie Bateman & Susan Fennell /  
Woodlawn Park Community Association  
Pat Keller /Planning Director  
Lawrence E. Schmidt  
W. Carl Richards, Jr. /PDM  
Docket Clerk /PDM  
Arnold Jablon, Director /PDM  
Virginia W. Barnhart, County Attorney





Baltimore County Government  
Office of Zoning Administration  
and Development Management



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3353

June 15, 1995

Benjamin Bronstein, Esquire  
Evans, George & Bronstein  
29 W. Susquehanna Ave., Suite 205  
Towson, Maryland 21204

RE: Item No.: 422  
Case No.: 95-428-A  
Petitioner: A&E Partners, L.P.

Dear Mr. Bronstein:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 22, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, ZADM

DATE: June 12, 1995

FROM: Pat Keller, Director, OPZ

SUBJECT: 1849 Gwynn Oak Avenue

INFORMATION:

Item Number: 422

Petitioner: A&E Partners, L.P.

Property Size: \_\_\_\_\_

Zoning: ML

Requested Action: Variance

Hearing Date: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

SUMMARY OF RECOMMENDATIONS:

A site visit at the subject site revealed the property is situated within an area improved with various office and business uses. The Woodlawn High School is located in close proximity to the applicant's site.

The proposed use of the property as a trade school should not adversely impact the surrounding community; therefore, staff supports the requested variance which would permit the reuse of this existing flex warehouse building.

At the time of the hearing, however, we recommend that the petitioner provide information regarding hours of operation and the extent to which the exterior of the property will be used, if at all. Based upon the testimony offered, the imposition of reasonable restrictions may be appropriate.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

PK/JL

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director                      DATE: June 12, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Developers Engineering Section

RE: Zoning Advisory Committee Meeting  
for June 12, 1995  
Item No. 422

The Developers Engineering Section has reviewed the subject zoning item. Dogwood Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way. The Developer's responsibility is to grant the right-of-way and slope easements, at no cost to Baltimore County.

This office recommends that the Zoning Commissioner make the owner comply with the Landscape Manual to the extent possible.

RWB:sw

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ZADM Joyce Watson  
FROM: DEPRM  
Development Coordination  
SUBJECT: Zoning Advisory Committee  
Agenda: 6/5/95

DATE: 6/13/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 420  
421  
422  
423  
425  
426  
427

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government  
Fire Department



700 East Joppa Road Suite 901  
Towson, MD 21286-5500

(410) 887-4500

DATE: 06/08/95

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: A & E PARTNERS, L.P.

LOCATION: CORNER OF S/S DOGWOOD RD., E/S GWYNN OAK AVE.  
( 1849 GWYNN OAK AVE. - MEADOWS BUSINESS PARK )

Item No.: 422

Zoning Agenda: VARIANCE

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed on Recycled Paper



Maryland Department of Transportation  
State Highway Administration

O. James Lighthizer

Secretary

Hal Kassoff

Administrator

6-6-95

Ms. Joyce Watson  
Zoning Administration and  
Development Management  
County Office Building  
Room 109  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Baltimore County

Item No.: 422 (MJK)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/

RE: PETITION FOR VARIANCE	*	BEFORE THE
1849 Gwynn Oak Avenue - Meadow's Business		
Park ("Dogwood East"), S/S Dogwood Road,	*	ZONING COMMISSIONER
E/S Gwynn Oak Avenue, 1st Election		
District, 2nd Councilmanic	*	OF BALTIMORE COUNTY
A & E Partners, L.P.	*	CASE NO. 95-428-A
Petitioners		
*   *   *   *   *   *   *   *   *   *		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

*Carole S. Demilio*

CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse

400 Washington Avenue

Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13<sup>th</sup> day of June, 1995, a copy of the foregoing Entry of Appearance was mailed to Benjamin Bronstein, Esquire, Evans, George & Bronstein, 29 W. Susquehanna Avenue, Suite 205, Towson, MD 21204, attorney for Petitioner.

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN

Baltimore County Government  
Department of Permits and Licenses



111 West Chesapeake Avenue  
Towson, MD 21204

(410) 887-3610

September 6, 1995

Ben Bronstein, Esquire  
Evans, George and Bronstein  
29 West Susquehanna Avenue  
Suite 205  
Towson, MD 21204

Re: Petition for Variance  
1849 Gwynn Oak Avenue  
Meadow's Business Park  
"Dogwood East" S/E corner  
Dogwood Road and Gwynn  
Oak Avenue  
1st Election District  
2nd Councilmanic District  
A & E PARTNERS, Petitioner  
Case No. 95-428-A

Dear Mr. Bronstein:

Please be advised that an appeal of the above-referenced case was filed in this office on August 24, 1995 by Valerie Bateman, and Susan Fennell on behalf of the Woodlawn Park Community Association and by Peter Max Zimmerman, People's Counsel. All materials relative to the case have been forwarded to the Baltimore County Board of appeals, "Board".

If you have any questions concerning this matter, please do not hesitate to contact the Board at 887-3180.

Sincerely,

A handwritten signature in black ink, appearing to read "Arnold Jablon".

ARNOLD JABLON  
Director  
Department of Permits and  
Development Management

AJ:nmn

cc: Ms. Debra Wittle  
People's Counsel  
Mr. Richard Previti  
Ms. Nina Weissenberger





APPEAL

Petition for Variance  
1849 Gwynn Oak Avenue  
Meadow's Business Park  
"Dogwood East" S/E Corner Dogwood Road  
and Gwynn Oak Avenue  
1st Election District - 2nd Councilmanic District  
A & E PARTNERS - Petitioner  
Case No. 95-428-A

Petition for Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1 - Plan to Accompany Petition  
for Zoning Hearing  
1A - Plan to Accompany Petition  
for Zoning Hearing (Landscape plan)  
1B - Plan to Accompany Petition  
for Zoning Hearing (Highlighted  
building and parking area)

Protestant's Exhibits: 1 - Letter to the Zoning  
Commissioner from William  
Obriecht dated June 22,  
1995  
2 - Memo from Valeria Bateman  
to the Zoning Commissioner  
dated June 23, 1995  
3 - Petition from Protestants to the  
Zoning Commissioner dated  
June 23, 1995  
4 - Map of the Woodlawn Park Community  
to the Zoning Commissioner dated  
June 23, 1995

Zoning Commissioner's Order dated July 27, 1995

Notice of Appeal received on August 21, 1995 from Valerie Bateman  
and Susan Fennell on behalf of the Woodlawn Park Community  
Association and Peter Max Zimmerman, People's Counsel.

cc: Woodlawn Park Community Association  
Ms. Debra Wittle, STV Group, 21 Governor's Court, Baltimore,  
MD 21207  
Mr. Richard Previti, V.P., A & E Partners, L.P., Emmes Meadows  
Corporation, General Partner, 6666 Security Boulevard,  
Baltimore, MD 21207  
Ms. Nina Weissenberger, A & E Partners, L.P., Emmes Meadows  
Corporation, General Partner, 6666 Security Boulevard,  
Baltimore, MD 21207  
People's Counsel of Baltimore County, M.S. 2010  
Benjamin Bronstein, Esquire, Evans, George and Bronstein  
29 West Susquehanna Avenue, Towson, MD 21204  
Susan Armiger  
Valerie Bateman, 1909 Hillcrest Road, Baltimore, MD 21207  
Susan Fennell, 1910 Hillcrest Road, Baltimore, MD 21207

Request Notification: Timothy M. Kotroco,  
Deputy Zoning Commissioner  
Arnold Jablon, Director of ZADM

/nmn

APPEAL

Petition for Variance  
1849 Gwynn Oak Avenue  
Meadow's Business Park  
"Dogwood East" S/E Corner Dogwood Road  
and Gwynn Oak Avenue  
1st Election District - 2nd Councilmanic District  
A & E PARTNERS - Petitioner  
Case No. 95-428-A

- ✓ Petition for Variance
- ✓ Description of Property
- ✓ Certificate of Posting
- ✓ Certificate of Publication
- ✓ Entry of Appearance of People's Counsel
- ✓ Zoning Plans Advisory Committee Comments
- ✓ Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1 - Plan to Accompany Petition for Zoning Hearing  
✓ 1A - Plan to Accompany Petition for Zoning Hearing (Landscape plan)  
✓ 1B - Plan to Accompany Petition for Zoning Hearing (Highlighted building and parking area)

Protestant's Exhibits: ✓ 1 - Letter to the Zoning Commissioner from William Obriecht dated June 22, 1995  
✓ 2 - Memo from Valeria Bateman to the Zoning Commissioner dated June 23, 1995  
✓ 3 - Petition from Protestants to the Zoning Commissioner dated June 23, 1995  
✓ 4 - Map of the Woodlawn Park Community to the Zoning Commissioner dated June 23, 1995

✓ DEP Zoning Commissioner's Order dated July 27, 1995 (GRANTED w/ R's)

- ① Notice of Appeal received on August 24, 1995 from Valerie Bateman and Susan Fennell on behalf of the Woodlawn Park Community Association and Peter Max Zimmerman, People's Counsel, rec'd on AUG. 23, 1995.

cc: Ms. Debra Wittle, STV Group, 21 Governor's Court, Baltimore, MD 21207  
Mr. Richard Previti, V.P., A & E Partners, L.P., Emmes Meadows Corporation, General Partner, 6666 Security Boulevard, Baltimore, MD 21207  
Ms. Nina Weissenberger, A & E Partners, L.P., Emmes Meadows Corporation, General Partner, 6666 Security Boulevard, Baltimore, MD 21207

\* People's Counsel of Baltimore County, M.S. 2010

Request Notification: Timothy M. Kotroco,  
Deputy Zoning Commissioner  
Arnold Jablon, Director of ZADM

/nmn BRUCE E. BERTELL 5740 EXECUTIVE DRIVE, 21228 (PROSPECTIVE TENANT)  
PRES., FAMILY ADVOCACY SERVICES, INC.

\* Valerie Bateman, President  
Woodlawn Park Community Association  
1909 Hillcrest Road  
Baltimore, MD 21207

\* Susan Fennell  
1910 Hillcrest Road  
Baltimore, MD 21207

Benjamin Bronstein, Esquire  
EVANS, GEORGE & BRONSTEIN  
29 W. Susquehanna Ave., Suite 205  
Towson, MD 21204

ATTORNEY / PETITIONER

> APPELLANTS/  
PROTESTANTS



# Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse  
400 Washington Ave.  
Towson, MD 21204

(410) 887-2188

PETER MAX ZIMMERMAN  
People's Counsel

CAROLE S. DEMILIO  
Deputy People's Counsel

August 23, 1995

Arnold Jablon, Director  
Department of Permits and  
Development Management  
111 W. Chesapeake Avenue  
Towson, MD 21204

Re: PETITION FOR VARIANCE  
1849 Gwynn Oak Avenue (Meadow's  
Business Park "Dogwood East"),  
S/E cor Dogwood Road & Gwynn Oak Avenue  
1st Election Dist., 2nd Councilmanic  
A & E PARTNERS, et al., Petitioners  
Case No. 95-428-A

Dear Mr. Jablon:

Please enter an appeal of the People's Counsel for Baltimore County to the County Board of Appeals from the Order dated July 27, 1995 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

A handwritten signature in cursive script, reading "Peter Max Zimmerman".

Peter Max Zimmerman  
People's Counsel for Baltimore County

A handwritten signature in cursive script, reading "Carole S. Demilio".

Carole S. Demilio  
Deputy People's Counsel

cc: Benjamin Bronstein, Esquire  
Attorney for Petitioners

*Received  
Permit & Development  
Management  
8/23/95 jw*

August 21, 1995

Arnold Jablon, Director  
Department of Permits and  
Development Management  
111 W. Chesapeake Avenue  
Towson, MD 21204

Re: PETITION FOR VARIANCE  
1849 Gwynn Oak Avenue (Meadows  
Business Park "Dogwood East"),  
S/E cor Dogwood Road & Gwynn Oak Avenue  
1st Election Dist., 2nd Councilmanic  
A & E PARTNERS, et al., Petitioners  
Case No. 95-428-A

Dear Mr. Jablon:

Please enter an appeal of the Woodlawn Park Community Association, Valerie Bateman, and Susan Fennell to the County Board of Appeals from the Order dated July 27, 1995 of the Baltimore County Deputy Zoning Commissioner in the above-entitled case.

Enclosed is our check in the amount of \$210.00 for the filing fee. Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

Woodlawn Park Community Association  
By: Valerie Bateman  
Valerie Bateman, President  
1909 Hillcrest Road,  
Baltimore, MD 21207, 298-7212,  
on behalf of the Association and  
residents of the area.

Valerie Bateman  
Valerie Bateman, 1909 Hillcrest Road  
Baltimore, MD 21207, 298-7212.

Susan Fennell  
Susan Fennell, 1910 Hillcrest Road  
Baltimore, MD 21207, 265-5045.

cc: Benjamin Bronstein, Esquire  
29 W. Susquehanna Avenue  
Towson, MD 21204, Attorney for Petitioners

*Received 8/24/95  
Dept. of Permits +  
Development Management*

**BALTIMORE COUNTY, MARYLAND**  
**Inter-Office Memorandum**

DATE: May 23, 1995

TO: Hearing Officer

FROM: Mitchell J. Kellman  
ZADM, Planner II

SUBJECT: Item #422  
1849 Gwynn Oak Avenue

The proposed use is for a trade school. Section 253.1.C permits this use in an I.M. district or a planned industrial park at least 25 acres. From the 200 scale zoning map, the site is not contiguous with M.L. zoning that would incorporate 25 acres. The burden is on the petition to establish that the site is within a planned park.

MJK:scj

5/26/95 2370.95  
y  
to work  
OK  
To: Gwen  
5/30/95  
u on

LAW OFFICES  
**EVANS, GEORGE AND BRONSTEIN**

SUSQUEHANNA BUILDING, SUITE 205  
29 WEST SUSQUEHANNA AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-0200  
FAX: (410) 296-3719

L ROBERT EVANS  
HARRIS JAMES GEORGE  
BENJAMIN BRONSTEIN

MICHAEL J. CHOMEL

May 25, 1995

**HAND DELIVERED**

Arnold Jablon, Director  
Department of Zoning Administration  
and Development Management  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

RE: Item 422

Dear Mr. Jablon:

The above entitled case was filed on May 23, 1995. The order, if passed by the Zoning Commissioner, would permit the subject site to be used as a trade school for training of emotionally disturbed children. Family Advocacy Services, which is a privately owned corporation, operates the school, however, tuitions for students are paid by local government.

I would appreciate your expediting the case for hearing on the earliest possible date in that Family Advocacy Services is attempting to open school for the fall term. <

Thank you for your kind consideration and attention to this matter.

Very truly yours,

EVANS, GEORGE AND BRONSTEIN

  
Benjamin Bronstein

BB/mlg

cc: Ms. Gwen Stephens  
Department of Zoning Administration  
and Resource Management

**RECEIVED**  
MAY 25 1995  
Left on table  
**ZADM**

LAW OFFICES  
EVANS, GEORGE AND BRONSTEIN

SUSQUEHANNA BUILDING, SUITE 205  
29 WEST SUSQUEHANNA AVENUE  
TOWSON, MARYLAND 21204  
(410) 296-0200  
FAX: (410) 296-3719

L. ROBERT EVANS  
HARRIS JAMES GEORGE  
BENJAMIN BRONSTEIN  
MICHAEL J. CHOMEL

CONSTANCE K. PUTZEL  
OF COUNSEL

January 17, 1996

Ms. Kathleen C. Bianco  
Board of Appeals for Baltimore County  
Courthouse  
400 Washington Avenue  
Towson, Maryland 21204

RE: A & E Partners, Petitioner  
Meadow's Business Park "Dogwood East"  
(1849 Gwynn Oak Avenue)

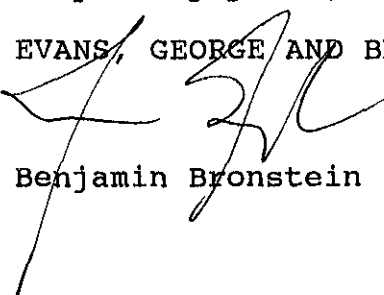
Dear Ms. Bianco:

On July 27, 1995 the Deputy Zoning Commissioner for Baltimore County granted variances as requested by A & E Partners (Petitioner). On August 23, 1995, People's Counsel timely noted an appeal to the County Board of Appeals from the aforementioned Deputy Zoning Commissioner's order. On behalf of the Petitioner, I am hereby withdrawing the Petition for Variance. In view of the Petitioner's withdrawal, the appeal is moot. I request that the Board of Appeals approve the enclosed order.

Thank you for your kind consideration and cooperation.

Very truly yours,

EVANS, GEORGE AND BRONSTEIN

  
Benjamin Bronstein

BB/mlg  
Enclosure

cc: People's Counsel for Baltimore County (with enclosure)

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Benjamin Jonsten

Bruce E. Bertell

John A. Kivell

Nina Werssenberger

John J. Jochen

29 W. Susquehanna Ave 21204

5740 Executive Dr, 21228

STV GROUP, 21 GOVERNORS CT.

A+E Partners, LP

421 DUMBARION RD. 21212





PLEASE PRINT CLEARLY

~~DEFENDERS~~ SIGN-IN SHEET

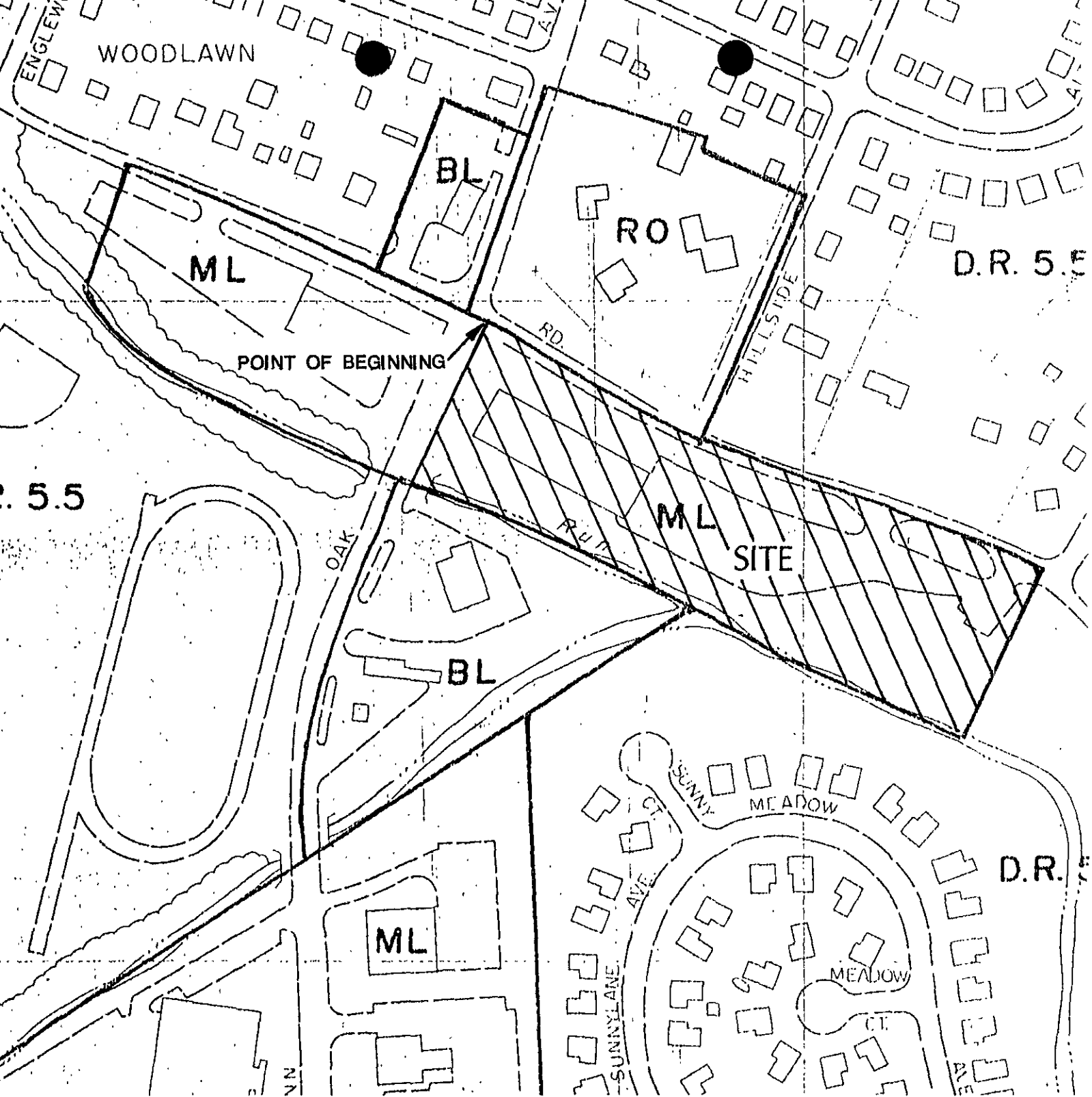
NAME

ADDRESS

Susan Fennell  
Valerie Rotunno  
Susan Armingier

1910 Hillcrest Rd. Bldg. 21207  
1909 Hillcrest Rd. Bldg. 21207  
1907 Hillcrest Rd

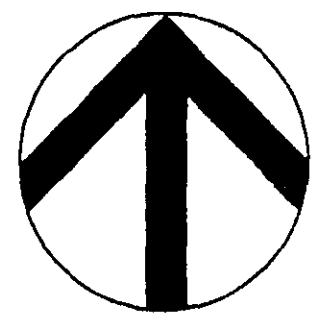




ZONING MAP 95-428-A

Meadows Business Park - Lot 18

# 422



SCALE: 1"=200'-0"



**PROTESTANT  
EXHIBIT NO. 1**

June 22, 1995

Zoning Commissioner  
400 Washington Ave.  
Towson, Md. 21204

Re: Case Number: 95-428-A (Item 422)

Dear Sir,

I oppose the request for a variance on this property - 1849 Gwynn Oak Ave.

I have been actively involved in the revitalization efforts for over 4 years in the Woodlawn community.

I believe that the revitalization efforts in the Woodlawn community require the full protection of the Baltimore County rules and regulations. We will not be helped by relaxing the rules.

The only exception would be when the community fully supports the request based on full information provided prior to the request for variances or special exceptions.

Sincerely,



William Obriecht  
2415 Poplar Dr.  
Baltimore, Md. 21207

DATE: June 23, 1995  
TO: Zoning Commissioner  
Room 106  
RE: Case # 95-428-A

**PROTESTANT**  
**EXHIBIT NO. 2**

My name is Valerie Bateman and I reside at 1909 Hillcrest Road.

I live in an area known as Woodlawn Park and the boundaries of the community where I reside have been highlighted on a map that I will submit to the hearing officer.

I am here concerning Case # 95-428-A.

I have been in contact with the Emmes Meadows Corporation's representative, Mr. John Graham, their attorney Mr. Benjamin Bronstein, as well as the landlord's prospective new tenant, Mr. Bruce Bartell of Family Advocacy Services, Inc. Emmes Meadows Corporation spokespersons and Mr. Bartell, have responded to the concerns and questions raised by the community in reference to this case.

After careful consideration of the information supplied by the landlord and prospective tenants the residents have come to a consensus regarding this case.

I was asked to speak on the behalf of the homeowners who are here with me today, and to present a petition signed by residents of the Woodlawn Park Community that states their opposition to the approval of the variance in case # 95-428-A.

The community finds that the Emmes Meadows Corporation knew of the existing configuration of the property, the ML zoning, and the existing provisions at the time of purchase.

The existing zoning provides a buffer between the institutional and residential community. If the variance is approved the buffer would be reduced by two-thirds.

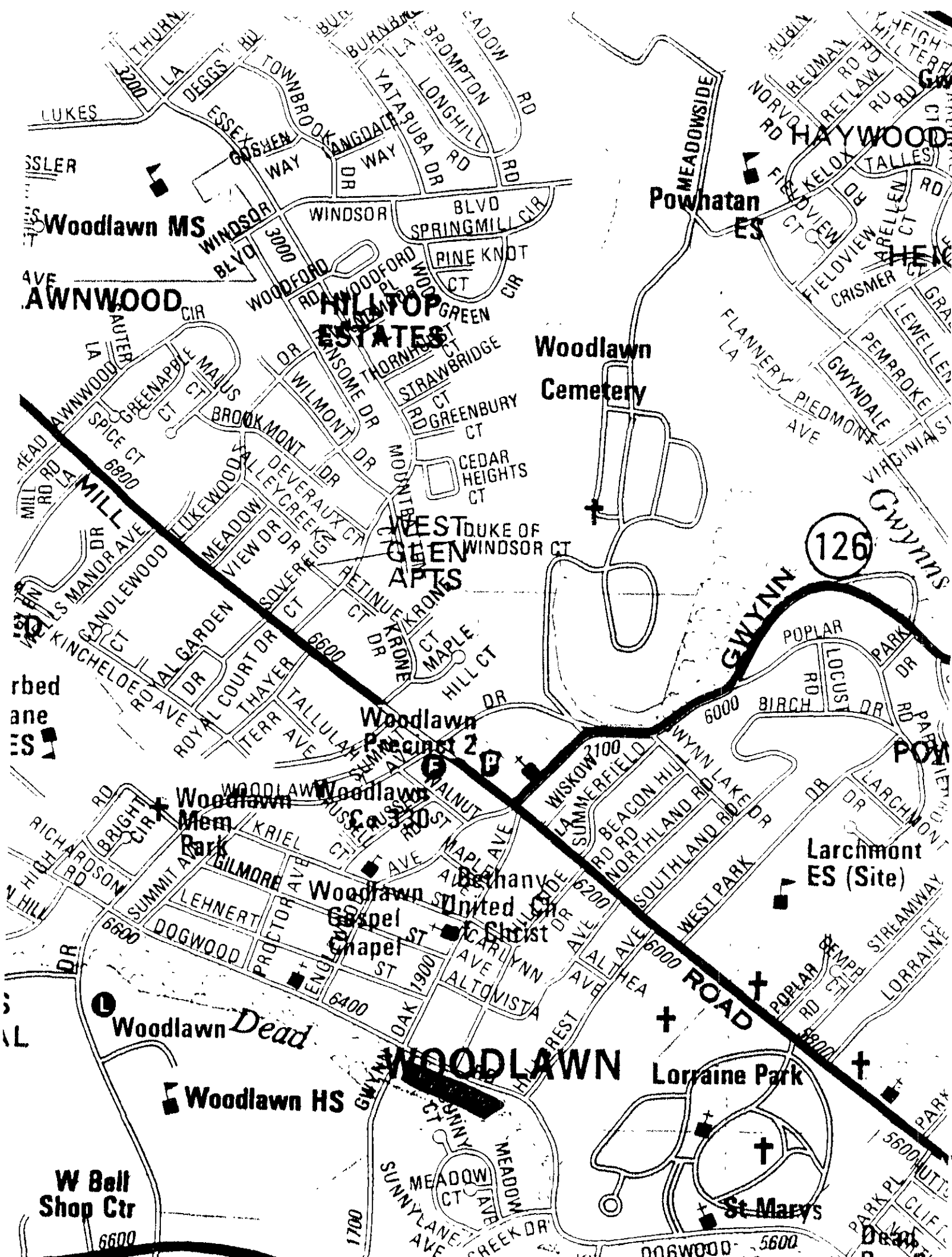
This buffer is in place to protect the health, safety, and general welfare of the community. To reduce it would cause a practical hardship by effecting the health, safety, and general welfare of the residential community, therefore the community requests this variance be denied.

**EXHIBIT NO. 4**

DATE: June 23, 1995

**TO:           Zoning Commisioner**  
**Room 106**

RE: CASE# 95-428-A  
Map of Woodlawn Park Community - Streets highlighted



# PROTEST A

## EXHIBIT NO. 3

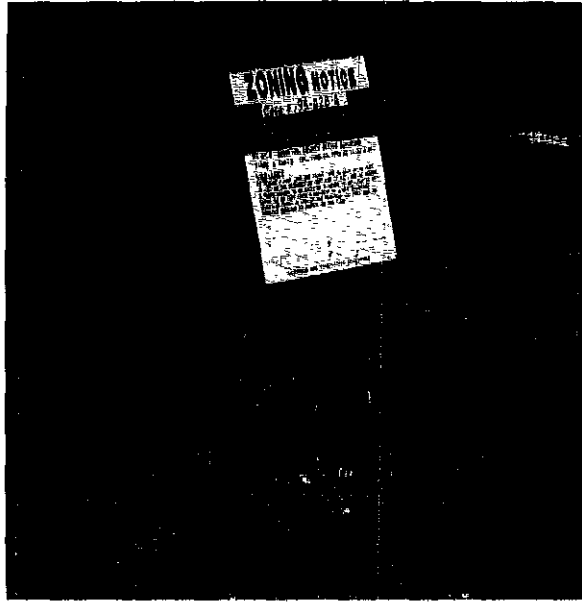
CASE # 95-428-A  
 Zoning Hearing Date June 23, 1995 11:00 a.m.  
 Room 106  
 County Office Building  
 887-3391  
 Zoning Commissioner, Towson, MD

Petition regarding the property at the southeast corner of Gwynn Oak and Dogwood Ave.

As a resident of the Woodlawn Park Community, I oppose the variance to permit a side yard and front yard set back of 35 feet in lieu of the required 50 and 75 feet, and to permit a trade school in an existing building to be located as close as 30 feet from a residential zoned boundary (right of way) in lieu of the required 100 feet and to approve parking as shown on the plan.

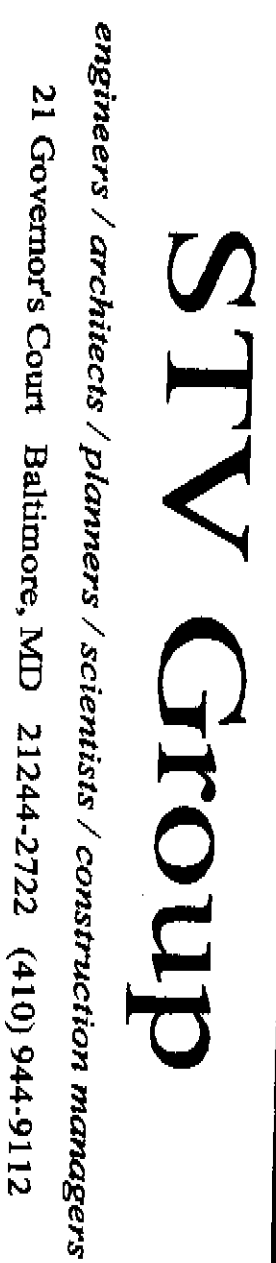
NAME	ADDRESS
1. Tony K. Orme	2002 Altovista Ave.
2. John P. Orme	2012 Altovista Ave
3. Peggy Ackerson	2012 Altovista Avenue
4. Jacquie Astembade	2006 Altovista Ave
5. John P. Reynolds	1911 Altovista Ave.
6. Dawn E. Reynolds	1911 Alto Vista Ave
7. E. J. Spicer	1708 Alto Vista Ave.
8. Yvonne Hargrave	1810 Alto Vista Ave.
9. Betty Jones	1810 Alto Vista Ave.
10. June E. Fisher	1813 Alto Vista Ave.
11. Joe and Dorothy Delway	1807 Alto Vista Ave.
12. David L. Lef	6302 MT. AIR AVE
13. Chris Hargrave	6303 MT AIR AVE
14. Beecher	1904 Hillcrest Rd.
15. Rose Hargrave	1902 Hillcrest Rd.
16. John Hargrave	1902 Hillcrest Rd.

95-428-A



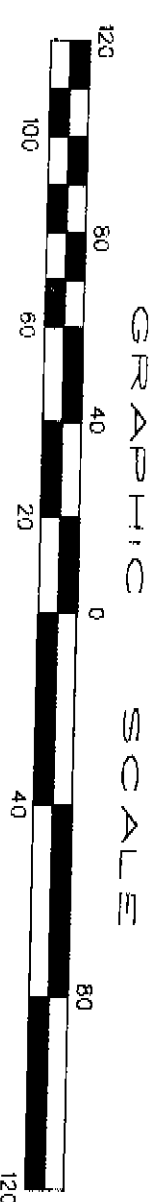
428





## STV Group

*engineers / architects / planners / scientists / construction managers*

[illegible]

## PLAN PREPARATION

DRAWN BY: T. CORTEAL III	DATE: 15 MAY 1995
DESIGNED BY:	SCALE: 1" = 40'
CHECKED BY: D. WITTE	

# Plan to Accompany Petition for Zoning Hearing

MEADOW'S BUSINESS PARK  
1840 CUYAHUA ST. #100  
CLEVELAND, OH 44115  
(216) 751-1100  
FAX (216) 751-1101  
WWW.MEADOWSBUSINESSPARK.COM

DOOMWOOD EAST  
BALTIMORE, MARYLAND

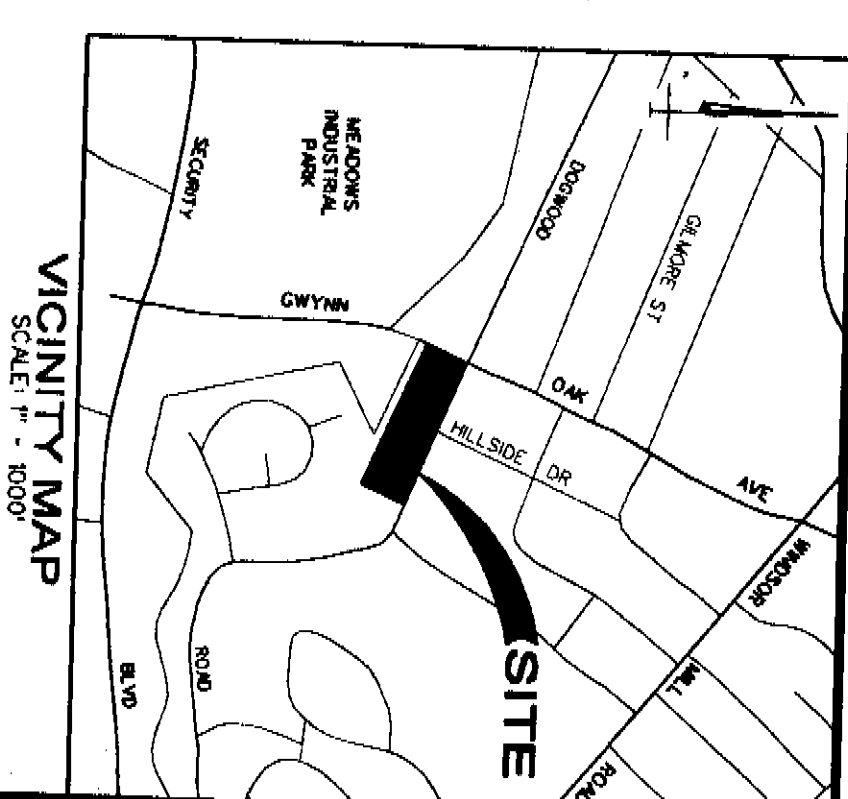
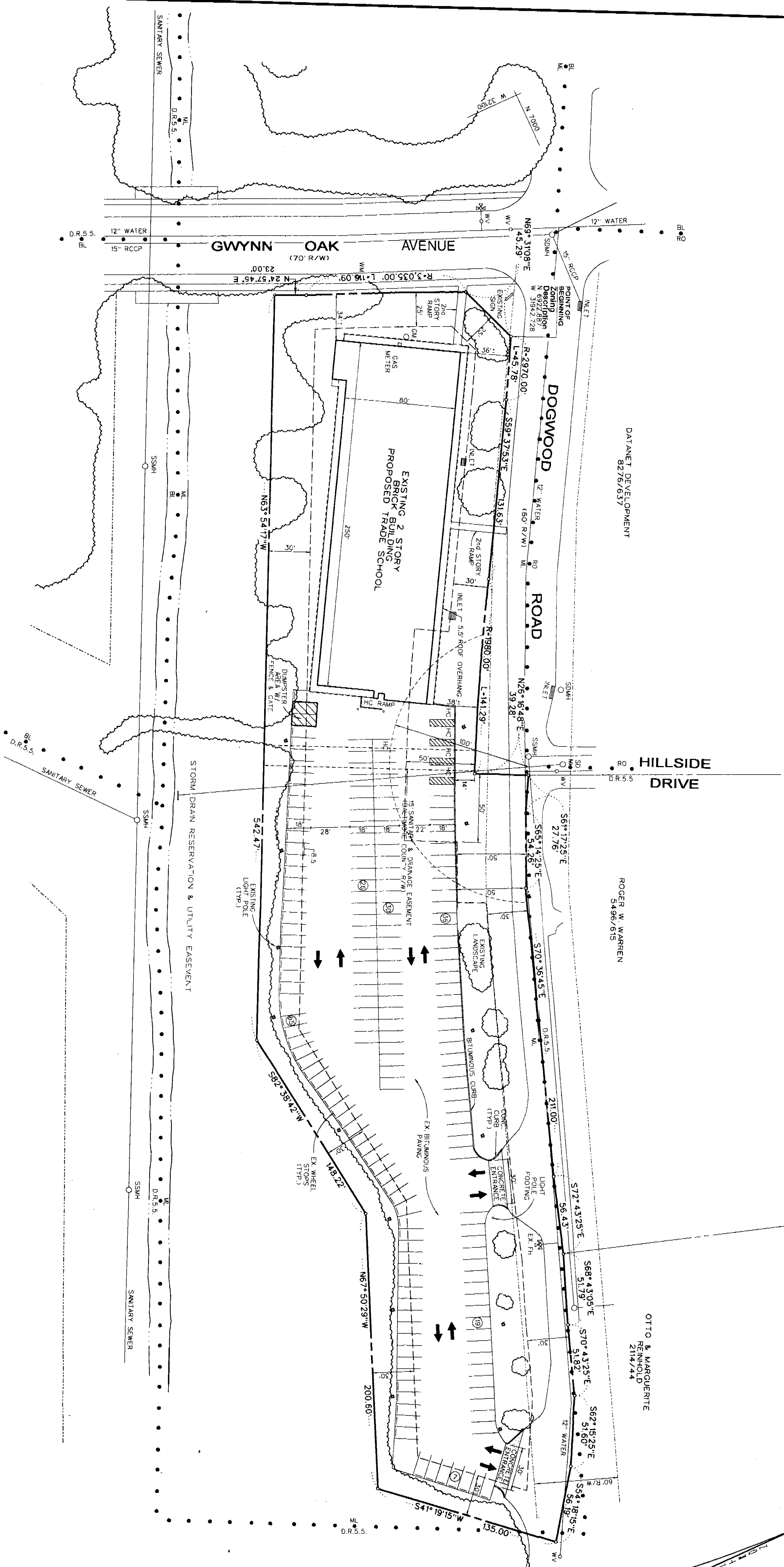
DRAWING NO.  
61-9250  
SHEET NO.

**PETITIONER'S  
EXHIBIT NO. 1**

MAY 22 1993

DELETED

95-428-A

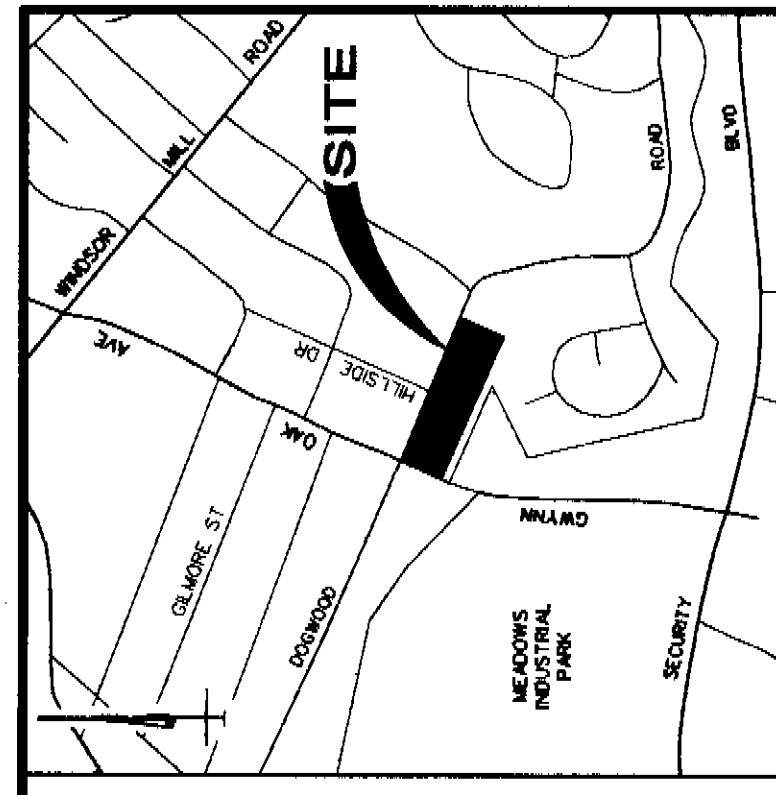


- [illegible]

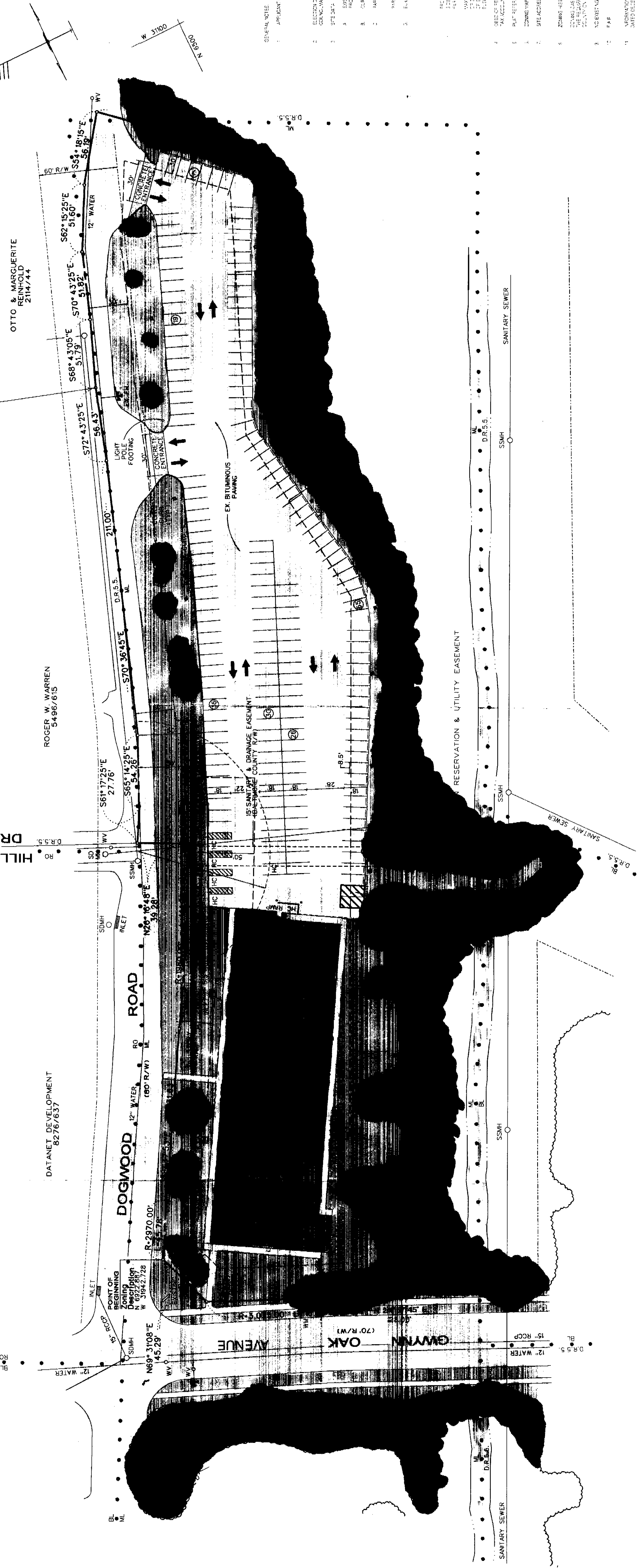








VICINITY MAP  
SCALE 1" = 400'



OTTO & MARGUERITE  
REINHOLD  
2114/44

ROGER W. WARREN  
5486/615

DATANET DEVELOPMENT  
8276/637

DOGWOOD ROAD

Gwynn Oak Avenue

Hillside Drive

Sanitary Sewer

Water

Electric

Gas

Telephone

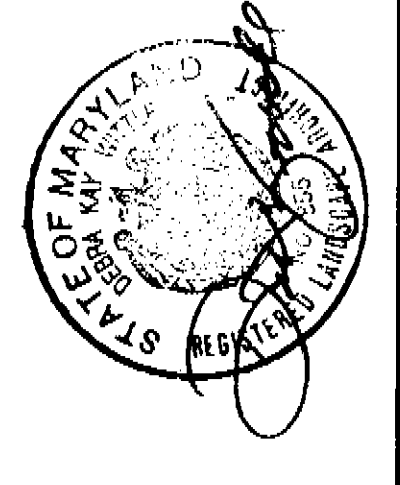
Cable

Drainage

Lighting

Landscaping

PETITIONER'S  
EXHIBIT NO. 1A



STV Group		Revisions		Plan Preparation		Drawing No.	
engineers / architects / planners / scientists / construction managers				Plan to Accompany Petition for Zoning Hearing		61-9250	
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112				MEADOW'S BUSINESS PARK		SHEET NO.	
				1849 Gwynn Oak Ave		1 of 1	
				Dogwood East			
				Baltimore, Maryland			
NO.	DATE	DESCRIPTION	DATE	DESIGNED BY	SCALE	DATE	SCALE
				T. CORTEAL III	1" = 40'	15 MAY 1995	
				D. WITTE			